

Filed for intro on 02/01/2001

SENATE BILL 1439

By Person

AN ACT to amend Tennessee Code Annotated, Title 40, Chapter 11 and Title 67.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-11-402, is amended by designating the existing language as subsection "(a)" and adding the following new language as subsection "(b)":

(b) On or before January 31, 2002, and on or before January 31st of each year thereafter, the clerk of the circuit or criminal court of each county with whom the semiannual report required by §40-11-303 is filed shall certify, to the administrative office of the courts those professional bondsmen and bonding agents who have complied with the continuing education requirements set forth in subsection (a). The certified list submitted by the clerk shall contain the full name and address of each professional bondsman and agent who is in compliance with the continuing education requirement.

SECTION 2. Tennessee Code Annotated, Section 40-11-404, is amended by adding the following language at the end of subsection (a):

On or before January 31, 2002, and on or before January 31st of each year thereafter, the Tennessee Association of Professional Bail Agents shall also certify to the

administrative office of the courts those professional bondsmen and bonding agents to whom it has issued certificates of compliance during the prior year. The certified list submitted by the Tennessee Association of Professional Bail Agents shall contain full name and address of each professional bondsman and bonding agent to whom a certificate was issued during the prior year.

SECTION 3. Tennessee Code Annotated, Section 40-11-403, is amended by designating the existing language as subsection "(b)" and adding the following new language as subsection "(a)":

(a) On or before March 1st of each year, the administrative office of the courts shall compare the list submitted by the clerks with the list submitted by the Tennessee Association of Professional Bail Agents and issue a report which shows any discrepancy between the two lists. This report shall be submitted to the presiding judge in each judicial district and to the Tennessee Association of Professional Bail Agents. It shall be the responsibility of each presiding judge, after notice and opportunity to be heard, to resolve promptly any discrepancy.

SECTION 4. Tennessee Code Annotated, Section 40-11-404, is further amended by adding the following language as a new subsection "(d)":

(d) A fifteen dollar (\$15.00) processing fee shall be collected by the Tennessee Association of Professional Bail Agents from each person to whom a certificate is issued. The collected fees shall be remitted to the state of Tennessee. These fees shall be deposited in the general fund in a special account earmarked for the administrative office of the courts in order to defray the expense of processing the lists, issuing the report, and maintaining the records required by this section.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.